

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA,)	CASE NO. 4:03cr00304-001
)	
Plaintiff,)	JUDGE: JAMES S. GWIN
)	
vs.)	ORDER
)	
TERRANCE L. THOMAS,)	
)	
Defendant.)	

This matter was heard on August 11, 2011, upon the request of the United States Pretrial and Probation Office for a finding that defendant violated the conditions of his supervised release. The defendant was present and represented by Attorney Jacqueline Johnson.

The original violation report [Doc. 28] was referred to United States Magistrate Judge Nancy A. Vecchiarelli on July 22, 2011 [Doc. 30] to conduct appropriate proceedings, except sentencing, and for the issuance of a Report and Recommendation. The Report and Recommendation was issued on July 26, 2011 [Doc. 32] and no objections were filed. The Report and Recommendation noted that defendant admitted to the new law violations and, pursuant to the recommendation of the parties and the supervising officer, defendant's supervision was continued pending sentencing.

The Court, finding that no objection were filed to the Report and Recommendation, adopted same and found that defendant violated the conditions of supervision as follows:

- 1) new law violation (defendant entered plea of guilty in

Youngstown Municipal Court to charges of telephone harassment,
menacing and violation of a protective order.)

The Court found defendant's violation of supervised release to be a Grade C violation and the Criminal History Category to be 5. The Court was advised by the supervising officer that defendant, up until the instant offense, had been in compliance with everything required by the Probation Office, i.e., reporting as directed, attending school and had no positive urine tests. The Court, influenced by the Sec. 3553(a) factors, continued defendant's terms of supervised release as previously imposed with the additional warning that he continue to comply with the terms of supervision and noted that defendant would be looking at incarceration should he again violate the terms of supervision.

IT IS SO ORDERED.

Dated: September 12, 2011

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE